

1 BARRY J. PORTMAN
Federal Public Defender
2 JOYCE LEAVITT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant CONTRERAS-TOLENTO

6
7
8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 ARMANDO CONTRERAS-
16 TOLENTO,

17 Defendant.
18

)
) No. CR 07-0724 DLJ

)
) STIPULATION AND [PROPOSED]
) ORDER CONTINUING CHANGE OF
) PLEA DATE AND EXCLUSION OF
) TIME

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date or
20 change of plea date in this case, currently scheduled for Friday, March 21, 2008, before Honorable
21 D. Lowell Jensen, may be continued to Friday, April 4, 2008, at 9:00 a.m. for change of plea. The
22 reason for the continuance is that defense counsel needs additional time to complete its investigation
23 and meet with Mr. Contreras-Tolento prior to the change of plea. Should the Court continue the
24 court date to April 4, 2008, it should provide enough time for counsel to complete its investigation
25 and be prepared to resolve the case. The parties stipulate that the time from March 21, 2008, to
26

1 April 4, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18
2 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

3 DATED: March 19, 2008

4 _____
JOYCE LEAVITT /S/
Assistant Federal Public Defender

5
6 DATED: March 19, 2008

7 _____
DANIEL KALEBA /S/
Assistant United States Attorney

8 I hereby attest that I have on file all holograph signatures for any signatures indicated by
9 a "conformed" signature (/S/) within this e-filed document.

10
11 **ORDER**

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this
13 case, currently scheduled for Friday, March 21, 2008, before Honorable D. Lowell Jensen, may be
14 continued to Friday, April 4, 2008, at 9:00 a.m. for change of plea.

15 IT IS FURTHER ORDERED that the time from March 21, 2008, to April 4, 2008, should be
16 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and
17 (B)(iv) for adequate preparation of counsel. The Court finds that the ends of justice served by the
18 granting of the continuance outweigh the best interests of the public and the defendant in a speedy
19 and public trial and the failure to grant the requested continuance would unreasonably deny counsel
20 the reasonable time necessary for effective preparation, taking into account due diligence.

22 SO ORDERED.

23 DATED:

24 _____
HONORABLE D. LOWELL JENSEN
25 United States District Judge